

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Allegation of corruption - Acquittal from the Criminal charge in CC No.15/2004 – Further action dropped - Regularization of suspension period of Smt B.Jyothi Lakshmi, Municipal Commissioner, from 1-10-2002 to 28-01-2005 as “Not on Duty” under FR.54(B) (5) & (7) – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (VIG.IV.1)DEPARTMENT

G.O.Rt.No. 704

Dated:13-05-2011
Read the following:

1. G.O.Rt.No.1135, MA&UD(Vig.IV.1)Department, dated 27.9.2002.
2. G.O.Rt.No.126, MA&UD(Vig.IV.1)Department, dated 28.1.2005.
3. From the DG,ACB Lr.No.215/RCT-VVZ/2002, dated 29.1.2010
4. G.O.Rt.No.761, MA&UD(Vig.IV.1)Dept., dated 6.7.2010.
5. From the CDMA Lr.No.19688/2006/A2, dated 18.1.2011.

O R D E R:-

Whereas, in the reference 1st read above, Smt B.Jyothi Lakshmi, Municipal Commissioner, has been placed under suspension while she was working in Salur Municipality in Vijayanagaram District, on the allegation of demand and acceptance of bribe amount of Rs.5,000/- from the complainant for doing official favour through Sri T.Naga Raju, Junior Assistant of Salur Municipality. Subsequently she was reinstated into service without prejudice to the criminal charge pending against her vide G.O. 2nd read above

2. Whereas in the reference 3rd above, the Director General, Anti Corruption Bureau, Hyderabad has reported that the Hon’ble Court of Special Judge for Anti Corruption Bureau Cases, Visakhapatnam has pronounced the judgment dated 25.8.2009 in CC No.15/2004 wherein Smt B.Jyothi Lakshmi, former Municipal Commissioner of Salur Municipality, Vizayanagaram District was found not guilty by the Trial Court and hence acquitted. After examination of the matter further action against Smt B.Jyothi Lakshmi, former Municipal Commissioner, has been dropped in view of the acquittal in CC No.15/2004 vide G.O. 4th read above.

3. Whereas, in the reference 4th read above, the Commissioner and Director of Municipal Administration, Hyderabad has forwarded the representation of Smt B.Jyothi Lakshmi, Municipal Commissioner for regularization of suspension period from 1-10-2002 to 28-01-2005 in view acquittal by Special Judge for SPE & ACB Cases, Visakhapatnam in CC No.15/2004.

4. Government after careful examination of the representation of Smt B.Jyothi Lakshmi, Municipal Commissioner and keeping in view of various judgments pronounced by the Hon’ble Supreme Court in Depot Manager, A.P.S.R.T.C vs., V.Venkaeswarlu(AIR 1995 SC 258) and Krishna Kanth Raghunadh Bibhavnekar Vs. Maharastra (1997 (3) SCALE 180) in similar cases, it is observed that where a Government Servant was involved in a trap case directly or indirectly and he was placed under suspension and ultimately he was acquitted by the court, and as per the instructions issued in Memo No.554/Ser.C/1993-6, General Administration Department, dated 26.12.1994, the suspension is justified and the suspension period from 1.10.2002 to 28.1.2005 is be regularized as not on duty under FR.54(B) (5) & (7) even though she was acquitted by the Anti Corruption Bureau Court, Visakhapatnam in CC No.15/2004 dated 25.8.2009.

5. Accordingly Government hereby order that the suspension period of Smt B.Jyothi Lakshmi, Municipal Commissioner from 1-10-2002 to 28-01-2005 be treated as “Not on Duty” under FR.54(B) (5) & (7).

(P.T.O)

6. The Commissioner and Director of Municipal Administration, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt B.Jyothi Lakshmi, Municipal Commissioner, Samarlakot Municipality thorough
the Commissioner and Director of Municipal Administration, Hyderabad.
The Commissioner and Director of Municipal Administration, Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad.
The Secretary, A.P. Vigilance Commission, Hyderabad.
The Private Secretary to Hon'ble Minister(MA).

//FORWARDED BY ORDER//

SECTION OFFICER